



Docket No. 24061.226 / 2003-1180
Customer No. 42717

JFM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Han-Ping Chen, et al.	§	Docket No.:	24061.226 / 2003-1180
Serial No.:	10/822,505	§	Examiner:	Matthew C. Landau
Filed:	April 12, 2004	§	Art Unit:	2815
For:	Method of Forming Self-Aligned Poly for Embedded Flash	§	Conf. No.:	3049
		§		

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Mail Stop: Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The present paper is being submitted in response to the Restriction Requirement Office Action dated June 6, 2005 in the above-identified application.

Election of Claims begins on page 2 of this paper.

Amendments to the Claims are reflected in the Listing of Claims which begins on page 3 of this paper.

Remarks begin on page 10 of this paper.

I. Election

In the Office Action mailed June 6, 2005, the Examiner alleges that the application contains claims directed to two inventions and, thus, required restriction of either:

Claims 1-39 (Group I), drawn to a method of making a semiconductor device; or

Claims 40-48 (Group II), drawn to a semiconductor device.

In response, Applicants hereby elect Group I, corresponding to claims 1-39. Applicants' election is made with traverse on the grounds that the embodiments delineated by the Examiner are not patentably distinct and therefore constitute a single invention concept.